

## **REMARKS**

Claims 9-13, 15, 26, and 27 are pending in the present application. Claims 9, 10, 12, and 15 have been amended. Support for the foregoing amendment can be found throughout the specification and claims as originally filed (for example on page 2, lines 10-11 and page 12, lines 12-26). No new matter enters by way of this amendment.

Reexamination of the application and reconsideration of the rejections and objections are respectfully requested in view of the above amendments and the following remarks, which follow the order set forth in the Office Action.

### **I. Claim Rejections Under 35 U.S.C. § 112, First Paragraph, Enablement**

Claims 9-13, 15, and 26-27 remain rejected under 35 U.S.C. § 112, first paragraph as allegedly containing subject matter which was not described in the specification in such a way so as to enable those skilled in the art to make and/or use the invention commensurate in scope with the claims. *Final Action* at pages 2-5. Applicants respectfully disagree.

Although Applicants disagree with this rejection for the reasons set forth in the amendment dated August 24, 2007, independent claims 9, 10, and 12 have been amended to include language similar to the allowable claim language suggested by the Examiner on page 7 of the Final Action.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 9-13, 15, and 26-27 under 35 U.S.C. § 112, first paragraph.

### **II. Claim Rejections Under 35 U.S.C. § 112, Second Paragraph**

Claims 9-13, 15, and 26-27 have been rejected under 35 U.S.C. § 112, second paragraph as allegedly failing to particularly point out and distinctly claim the subject matter. *Final Action* at page 6.

In particular, the Final Action alleges that the phrase “derived from amino acid sequence” is vague and indefinite. In addition, the Final Action also alleges that the phrase “on the basis of the degeneracy of the genetic code” renders the claims confusing. Applicants note that the claims have been amended to include language similar to the allowable claim language suggested by the Examiner on page 7 of the Final Action.

In view of the amendment to the claims, the rejection is moot. Reconsideration and withdrawal of the rejection of claims 9-13, 15, and 26-27 under 35 U.S.C. § 112, second paragraph is respectfully requested.

### Conclusion

For the foregoing reasons, claims 9-13, 15, 26, and 27 are considered allowable. A Notice to this effect is respectfully requested. If any questions remain, the Examiner is invited to contact the undersigned at the number given below.

Respectfully submitted,

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